Section 2-A

BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS AND ORDINANCES OF MYSORE.

NOTIFICATION.

No. 5053—L.A. Bangalore, dated 29th January 1951.

As required by Standing Order 36 of the Legislative Assembly Standing Orders, the following report of the Select Committee on the Mysore Court Fees (Amendment) Bill, 1951, with the amended Bill is hereby published.

G. S. VENKATARAMANA IYER,
Secretary,
Mysore Legislature.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE COURT FEES (AMENDMENT) BILL, 1951.

We, the Members of the Select Committee to which the Mysore Court Fees (Amendment) Bill, 1951, was referred, have considered the Bill in detail and have the honour to submit the following report :—

While agreeing that article 2A of the First Schedule proposed to be inserted by clause 2 may remain as it is, some of us feel that it may not cover the cases of all defendants since some defendants may not pray for partition of their share but nonetheless get the advantage of their shares being partitioned and separated off. We think that such cases may be covered by separate legislation, if found necessary. We therefore recommend that clause 2 may remain as it is.

Consequential upon the amendment proposed, we consider it necessary that Section 16 of the Mysore Court Fees Act, 1900, should also be amended and we accordingly recommended that item (ii) of Section 16 may be substituted by the following item, namely,

> "(ii) Written statement not being one mentioned in article 2A Schedule I nor one containing a counter claim, set off, or a prayer other than a prayer for instalments or relating to costs of the suit."

The Bill was published in the Gazette Extraordinary dated the 12th January 1951.

In our opinion the Bill has not been so altered as to require republication.

K. T. BHASHYAM.
K. SAMPANGIRAMIAH.
G. VEERAPPA.
A. BHEEMAPPA NAIK.
KADIDAL MANJAPPA.
W. H. HANUMANTHAPPA.
MOHAMED HANIEF.
L. SIDDAPPA.
A. R. SOMANATHA IYER,
(Advocate-General).

BANGALORE,
23rd January 1951.

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[AS AMENDED BY THE SELECT COMMITTEE.]

(Words sidelined indicate the additions suggested by the Committee.)

THE MYSORE COURT FEES (AMENDMENT) BILL, 1951.

A Bill further to amend the Mysore Court Fees Act, 1900.

WHEREAS it is expedient further to amend the Mysore Court Fees Act, 1900, (Mysore Act III of 1900), for the purposes hereinafter appearing ; Preamble.

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Court Fees (Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

2. In section 16 of the Mysore Court Fees Act, 1900, (hereinafter referred to as the said Act) for clause (ii), the following clause shall be substituted, namely :— Amendment of Section 16 of Mysore Act III of 1900.

" (ii) Written statement not being one mentioned in article 2-A of Schedule I, nor one containing a counter-claim, set off or a prayer other than a prayer for instalments or relating to costs of the suit ".

3. In Schedule I to the said Act, after article 2, the following article shall be inserted, namely ; Amendment of Schedule to Mysore A III of 1900.

Number		Proper fee
"2-A. Application or written statement by a defendant in a suit for partition praying for partition of his share in the property sought to be partitioned.	...	The same fee which would have been payable on a plaint, if such defendant instituted a suit for partition."